

TREATY

OF

Friendship and Commerce,

Between His MAJESTY of

GREAT BRITAIN, &c.

AND

The Most Serene PRINCE the

DUKE of SAVOY,

CONCLUDED

At Florence the 19th day of September,

1669.

Published by His Majesties Command.

L O N D O N,

Printed by the Assigns of *John Bill*, and
Christopher Barker, Printers to the Kings
most Excellent Majesty, 1673.

TREATY

Friendship and Commerce

Between His Majesty of

GREAT BRITAIN

AND

THE MOST EXCELLENT PRINCE

DUKE of SAVOY

CONCLUDED

At Turin the 10th day of September

1662

Printed by J. Streater at the Sign of the Gun in St. Dunstons Church Lane

LONDON

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Christopher Barker, Printers to the Kings
most Excellent Majesty, 1678

The Instrument of Commerce
with the Duke of SAVOY.



The convenient situation
of the Port of Villa
Franca in the Mediter-
ranean Sea, and the Ca-
pacity of the same, toge-
ther with the security of
it in all respects; have
been efficacious motives to His most Serene
Highness the Duke of Savoy, for the Edi-
fying and Pronouncing the same Free to
the Whole World: with a Belief, that it
might in time prove advantageous to the
Publick, and to His Royal Highness in parti-
cular. But it so falling out, that the vigour
of things which are established by the best
Counsell, in process of time, are rendered lan-

guid and subject to mutation : It has there-
 fore pleas'd His Royal Highness not only to
 reconfirm the Free State and Condition of
 His Port ; But over and above to offer the
 same to His Majesty of Great Britain, &c.
 increas'd with new Priviledges, and aug-
 mented with inviolable Capitulations. To
 these motives a most valid and reciprocal In-
 ducement joyns it self : To wit, the Luxuri-
 ant Fertility of soyl, which is obvious in the
 Kingdoms and other Plantations which are
 under the Dominion of His Majesty of
 Great Britain, &c. As also in the Domini-
 ons of His said Royal Highness : which su-
 perfluity, since it is so properly and naturally
 transmitted, and empty'd into the mutual
 Territories, with the reciprocal fruit, and
 advantage of the Subject : 'Twas easie for
 both Princes between whom there pass'd long
 since the Tyes of an Ancient Friendship ; con-
 firm'd by repeated Alliances, and by late con-
 junction in Bloud ; to entertain thoughts of
 superadding the new Tye of mutual Com-
 merce, by which they might upon the score of
 advantaging

advantaging their Subjects further oblige and reciprocally Engage themselves to each other. To this end and purpose, it has pleased His most Excellent Majesty by His Letters Patents under the Great Seal of England, to constitute Sir John Finch Knight, now Resident for His Majesty of Great Britain with the Great Duke of Tuscany, His true and lawful Attorney, with a Plenipotentiary Power, as appears out of the Letters Patents themselves. And to the same intent and purpose His Royal Highness has thought good to invest with the same Power and Authority, Signor Joseph Maurice Filippone, His Counsellour, Auditor, and Procurator General of His Revenue: As is likewise apparent from the Letters Patents of His Royal Highness: Both which Plenipotentiaries after several meetings have finally concluded as follows.

Articles

Articles Covenanted.

I. **F**irst, Since Commerce was alwayes the Companion of Peace, That Peace which for many years was never interrupted by War, is now ratified, established, and confirmed, between the most Potent Monarch CHARLES the Second, King of Great Britain, &c. and His Royal Highness CHARLES EMANUEL the Second of that name, Duke of Savoy, &c. Both whose Subjects are oblig'd as well by Sea, as Land, upon all occasions to perform to each other all actions of mutual Civility and Kindness.

II. Secondly, It shall be permitted to, and lawful for all sorts and kinds of Ships and Vessels, belonging to His Majesty the King of Great Britain, &c. Or any of His Subjects, to conduct and bring into the
Ports

Ports of *Villa Franca, Nizza, or S. Hospitio* all things whatsoever, or all kinds of Merchandize, whether produc'd by Nature, or made by Art, in any part of the World: All which things or Merchandize so brought, shall freely and lawfully by the Captains, or Masters, or any under them; or by the Merchants, or Factors His Majesties Subjects, be landed and brought into the Houses of the said Merchants, or Factors, or into any Magazines, or Warehouses out of their Houses in the said Ports; and there conserv'd and kept by them as long as they please; without Confiscation, Imposition of Custom, or Exaction of any Duty whatsoever. Furthermore, if all the said things or any part of them shall not be sold in the said Ports; It is, and shall be lawful, for the said Captains, Masters, Merchants, or Factors, His Majesties Subjects, freely to send all or any part of the said things by Sea to whatsoever other Place they please, without paying any Custom, Duty, or
any

any sort of Imposition whatsoever.

III.

Thirdly, That all and every sort and kind of things, and Merchandize which shall be sold in *Nizza, Villa Franca, or S. Hospitio*, and after the Sale made shall be dispeeded or sent by Sea into the Territories of any other Prince, both in respect of the Seller and Buyer, shall always be free and clear from all Custom, Duty, or Imposition whatsoever: But as to all those things and Merchandizes which after the sale made in the said Places, shall pass by land into the Territories of any other Prince, It is also Covenanted and agreed, That during the space of Ten years to ensue from the day of the Publication of this present Agreement, All such Goods shall be free and clear from all Custom, Duty, or Impost whatsoever for their passage by land, and from any other Penalty whatsoever both in respect of the Buyer and Seller; Which Ten years being expired,

— if

if His Royal Highness will not further confirm this freedom of Passage according to the aforesaid Form and Manner : In such case for all and every the said things, which after sale made pass by Land as aforesaid, shall be paid only one half of that Imposition or Duty which is exacted for passage in the Rates or Tariffe Printed in the end of the Order published the 30th October 1633.

IV.

Fourthly, All and every sort and kind of things or Merchandize which are produced by Nature or made by Art, in any of His Majesties Kingdoms, or in any Plantations of the *West* or *East Indies*, or any other Territories which at present are, or hereafter shall be under the Dominion of His Majesty, may and shall be freely sold by the Subjects of His Majesty, throughout all the Dominions of His Royal Highness and any part of His Territories or places of Jurisdiction, without any Prohibi-

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tion or Penalty, notwithstanding whatsoever Law or Edict to the Contrary, Excepted always, and onely, Salt, Tobacco, Gunpowder, Match, Birding Shot, Bullets, Whalebone, Cards of all sorts; because 'tis the Custom to Farm out the Liberty of selling these mention'd things, as Monopolies to particular persons: Notwithstanding free leave is granted to His Majesties Subjects, according to what is expressed in the Second Article, to receive and keep within their Houses, or Warehouses, all the aforesaid forbidden Commodities, without any Custom, Duty or Penalty: Nay further free leave is granted to His Majesties Subjects to sell the said forbidden Commodities to the Monopolists or Farmers themselves, But all sorts of Merchandize (except the aforesaid Prohibited ones) which shall be introduced and brought into the Ports of *Villa Franca*, *Nizza*, or *S. Hospitio*, when they shall be extracted out of the said Ports, to the end that they may be vented and sold within

within the Dominions of His Royal Highness, he alone that extracts them, whether he be the Buyer or the Seller, shall pay onely one half of that Custom, or Duty which is specified in that Book of Rates or Tariffe, a Printed Copy of which underwritten by the Procurator of His Royal Highness was by him deliver'd to Sir John Finch, which Duty or Custom once paid, nothing more shall be paid within the Dominions of His Royal Highness either by the Buyer or the Seller for the said Goods or Merchandize: with expresse Declaration, that for all Woollen Manufactures, or whatsoever Commodities aforesaid which as it appears are not specified in the aforesaid Books of Rates or Tariffe shall be paid Duty or Custom, one and a half *per Centum*, that is half onely of the three *per Centum* impos'd upon all Commodities which are not specified in the mention'd Book of Rates, by the last Article or Lines of it, which Duty or Custom being once paid, nothing more shall

be paid neither by the Buyer nor the Seller, within the Dominions of His Royal Highness,

Fifthly, It is covenanted and agreed That all sorts of Ships and Vessels belonging to His Majesty of Great Britain, &c. or any of His Subjects, which shall set sail from England, or any Place under the Dominions of his Majesty, or out of His Majesties Dominions, not being infected with the Plague, and shall arrive at the Ports of *Nizza*, *Villa Franca*, or *S. Hospitio*, with Certificates or Patents of Good health, having in their Voyage had no Commerce with any places or Persons suspected to be infected with the Plague; are, and ought to be, Free and clear, from making *Quarantenas* or any days whatsoever of purgation: and there shall be immediately granted to the Persons in the said Ships present and free Commerce or Prattick; and all things

and

and Merchandize of whatsoever sort or kind, brought by the said Ships, shall immediately without any delay be permitted freely to be landed; and carried into the Houses, or Ware-houses of the Merchants His Majesties Subjects in *Nizza*, *Villa Franca*, or *S. Hospitto*; But if the above mention'd Ships shall arrive without a Certificate or Patent of Good Health, or if in their Voyage they shall have practis'd or had Commerce with any Persons or Places suspected of the Plague: In such case both Persons and Goods shall be subject to *Quarantena* or Purgation; but the dayes of *Quarantena* or Purgation shall be shortened both in respect of the Persons and Goods, as much as the care of preserving the Publick Health can possibly permit; but what Merchandize is subject to the *Lazaretto*, or to make Purgation, as also the *Lazaretto* Duties or Expense of Goods that make Purgation, is with other Particulars contain'd in a Paper of the Rates of the *Lazaretto* Duties at the End of this Instrument.

Instrument, which never can or may be changed or alter'd without the Consent of the Consul, and the major part of the Merchants residing in the said Ports.

VI.

Sixthly, Because Ports which are call'd Free are wont to give Protection and Refuge to Bankrupts, or Persons that Fail and Break with other Mens Estates; The same Piety of His Majesty which Protects those who are good, Punishes them that are Bad; Therefore as to what concerns His Majesties Subjects, 'tis Covenanted and agreed, notwithstanding whatsoever Edicts published, That His Majesties Subjects be wholly deprived and utterly cut off from enjoying that Protection which is commonly called Safe Conduct; reserving to every Subject of His Majesty his proper Right; Likewise all His Majesties Subjects shall be depriv'd of the benefit of Protection or Safe

Safe Conduct, who shall commit any crimes whatsoever against His Majesty, as also all of His Majesties Subjects, whether Master, Mariners, or others, who shall be guilty of Barratry; to whom, as also to all Pirates and Robbers at Sea who are His Majesties Subjects, all License shall be deny'd of selling Goods or Merchandize, or Contracting for them in the said Ports: But in regard all that is mention'd in the foregoing Part of this Article, relates onely to His Majesties Subjects, 'tis Covenanted likewise and agreed in favour of the said Subjects, that they shall fully and entirely against all Strangers, (as well as all Strangers against them) enjoy the Priviledge of Safe Conduct or Protection promis'd, and published in the Edict of a Free Port, by His Royal Highness.

VII.

Seventhly, All the Subjects of His Majesty who live at Nizza, Villa Franca,

or

or *S. Hospitio* in order to Trade or otherwise, are declar'd free, and clear from all Tributes, Taxes, or Levies of money, which are or shall be impos'd by His Royal Highness.

VIII.

Eighthly, 'Tis likewise declar'd, that the Persons of His Majesties Subjects, residing at *Nizza, Villa Franca*, or *S. Hospitio*, shall not be liable or subject to arrest, or imprisonment, or their Goods to Seizure or Sequestration for any Civil Causes, unless a Legal Citation has first preceded; But in Criminal Causes, which are punishable with Death or Corporal Punishment, they shall be subject to Imprisonment without Citation.

IX.

Ninthly, It is permitted, and shall be lawfull to all and every one of the Subjects of His Majesty of *Great Britain*, &c. dwelling in the said Ports to live in their own

own Religion, after the same manner that is permitted either at *Genova*, or *Legorn*, and a convenient and decent place of Burial shall be allotted and assigned for the Interment of such of His Majesties Subjects, as shall decease in the said Places.

X.

Tenthly, Since that nothing doth more torment any man then Controversies in Law before Tribunals of Judicature, in regard of the great Expence both of Time and Money; But more especially One who is a Stranger to the Customs of the Place, and an Alien to the Laws: Therefore it is Covenanted and agreed, between His Majesty of *Great Britain, &c.* and His Royal Highness, That all Differences or Controversies whatsoever, which shall arise between Subject and Subject of His Majesty, or between the said Subjects, and any person, that is no Subject of His Majesty,

ity, shall be only pleaded before, and
 be decided only by a Judge who shall
 be call'd the Delegate of the *English*
 Nation, which Delegate shall always
 be chosen by the Subjects of His Ma-
 jesty who live at *Nizza, Villa Franca,*
 or *S. Hospitio*; Provided always, that the
 Election be made out of the number
 of those Ministers of His Royal Highness
 which Constitute the Consuls of the Sea :
 The Delegate so chosen shall be continu-
 ed during the pleasure of the National E-
 lectors; Provided that this Continuation
 be no longer time then what is limited
 by His Royal Highness for the Period
 of the Office of the rest of the Consuls
 of the Sea. When this Delegate is
 elected, the Nation shall present Him
 to His Royal Highness, with a Petition,
 that by His Authority he may be ap-
 pointed to exercise this Charge; By
 which Authority being Constituted, he
 shall with Brevity and Expedition de-
 cide and determine all the aforesaid
 Controversies.

Controversies, without the formality of Legal Processes, according to the validity and weight of Reason, having regard onely to the truth of the Fact: And all this shall be done without any Costs, Charges, or Expence, except onely the bare payment of the Writing. From the Sentence given by this Delegate, there shall no Appeal be made or allowed, except to the Tribunal of the Consuls of the Sea residing at *Nizza*, where the Delegate himself is to be one, and sits as one of the Judges, from which Tribunal no Appeal is to be admitted. But if in the progress of time, His Majesties Subjects in the said Ports become numerous, (which is to be hoped, from the good and well compos'd Lawes) if any inconvenience be found in the deciding of Controversies according to the manner prescribed; then as to whatsoever Controversies which shall happen and arise onely between Subject and

Subject of His Majesty, the following Rule for an unappealable deciding of them shall be established, and confirmed between His Majesty and His Royal Highness, which then is to be in full force and vigour from that time which His Majesty shall require it of His Royal Highness. The Form or Rule is this : The Subjects of His Majesty shall choose out of the number of the *English* Nation Three, which for life and manners are esteem'd Men of the greatest Integrity amongst them ; these Three they shall humbly present to His Royal Highness, that He may benignely please to appoint One of them, who under the Title of Delegate of His Royal Highness, is to exercise the Office which shall immediately be declar'd : By whose Authority when he shall be constituted, and to that purpose has obtain'd Letters Patents from His Royal Highness, he shall notwithstanding be incapable of exercising his Charge, till he hath

hath first taken Oath before the already mention'd National Delegate; or, in his absence, before some other of the Consuls of the Sea residing at Nizza for His Royal Highness. These things premis'd, when a Controversie or Difference shall arise or happen, the Plaintiff and the Defendant shall each of them choose two Arbitrators, whom they shall Declare and Constitute to be such before the Delegate of His Royal Highness, to every one of which the Delegate shall administer an Oath upon the Holy Evangelists, to this Purpose; *That they will according to the utmost of their Power, laying aside all respect of Persons, and according to good Conscience and best Rule of Justice give their Sentence of Arbitration, Righteously and Faithfully.* After which Oath they may convene, as occasion offers, but always in the presence of the said Delegate; which Delegate shall have no voice in case that the Major part of the four Arbitrators

Arbitrators agree in their Arbitration ; which if they do, the Decision so made shall be valid and Firm : But if the Arbitrators by reason of their Equality of Votes agree not ; then the Delegate of His Royal Highness, having first taken the same Oath the Arbitrators did, before one of the Consuls of the Sea at *Nizza*, shall have a Vote amongst the other four Arbitrators, and the Decision shall be on that side which has the Majority of Votes, to all purposes Valid and Firm. In both Cases the Decision thus Amicably made, shall be transmitted to His Royal Highness within the space of one Moneth, that by His Authority it may have its full force and be put in Execution. This Delegate shall be further oblig'd to make Writings or Records, as Delegate of His Royal Highness, and it shall be his Charge carefully to keep and preserve the same. He shall be continued three years in his Office, and be oblig'd to
give

give an Account to the Delegates that succeeds him, of all matters that were transacted under him.

XI.

Eleventhly, If any Subject of His Majesty shall die in the said Ports without making his Will, or shall appoint by his Will one to be Executor who lives in none of the said Ports, the whole Nation shall be convened, and by them some Persons shall be chosen of Good Life, Fame, and Credit; who together with the Delegate of His Royal Highness His Majesties Subject, and the Consul of the Nation, shall take care of the Estates of the Person deceased, so that it may not be embezzelled, but kept for them to whom of Right it does belong: Which Persons so Elected by the Nation, shall be, before the Tribunal of the Consuls of the Sea residing at *Nizza*, Constituted and appointed Administrators to the Intent
aforesaid,

aforesaid, of the Goods of the Deceased: And to this end, they shall have full Power to demand and keep whatsoever of right belonged to the Person deceased, and also to pay and discharge whatsoever of Right was due from the Deceased Person to any other.

XII.

Twelfthly, All Mariners, Subjects of His Majesty, who shall desert their own Captain or Master, and enter into any other Ship or Vessel, upon Complaint made to the Officer of His Royal Highness at *Nizza, Villa Franca, or S. Hospitio*, shall be taken from the Ship that received them, and be restor'd to their first Captain or Master. If any Mariner deserts his own Captain or Master, and retires into any publick or private house of any of the Inhabitants in the said Ports, and shall be conceal'd by the Inhabitant, he shall be forceably taken out of the house, and the house-keeper fined
Twenty

Twenty Dollars, for every such Offence; If any Mariner shall lie all night on shoar in any publick or private house without leave in writing under the hand of his Officer, the house-keeper lodging him shall pay Ten Dollars; If any Mariner contracts a Debt with, or runs in Debt to any Inhabitant of the said Ports, above the sum of One Dollar, without License in writing from his Captain or Master, his Creditor shall lose it: But if any Mariner does get one to be bound for the Debt, who is not a Mariner, the Mariner shall be let go; But the person that is bound for him may be retain'd for the Debt.

XIII

Thirteenthly, It is Covenanted and agreed that all Ships of War belonging to His Majesty, whensoever they shall come into the said Ports, shall in every Point be receiv'd with the same Ho-

D

nour,

nour, as any Ships or Vessels whatsoever belonging to whatsoever Monarch or Prince, During the abode of His Majesties Ships in the said Ports, nothing Necessary or Convenient shall be deny'd them, they paying a competent Bribe for it, And as for their Victual-ling, License is granted to any Person deputed to Victual the Ships through- out all the Dominions of His Royal Highness, to contract for, and buy all things necessary and convenient for su- stenance, and to cause all the said things to be bought, to be brought into the said Ports, without any Custom, Duty, or Impos't, paying for them onely the First Cost; And it is further Covenanted, that the said Ships of War of His Majesty, during their abode in the said Ports, shall be Protected and Defended a- gainst any whomsoever that would at- tempt any Violence or Hostility against them, and the said Ports, shall in case of Hostility be treated with the same Ho- nesty,

XIV Fourteenthly, Since in this Instrument of Commerce there has been mention made, of certain Fiscal Orders or Tariffes, commonly call'd Books of Rates or Publique Duties. One of which Printed the Tenth of December, One thousand six hundred and fifty one, contains the Customes, or Duties, which are to be paid for all Commodities whatsoever, which are sold within the Dominions of His Royal Highness. A Second contains at the end of the General Order of the *Porto Franco*, (the Thirtieth of October, One thousand six hundred thirty three) The Duties that are to be paid for Passage by Land through the State of His Royal Highness. And the Third, and the Last, underwritten by the Procurator of His Royal Highness, contains the *Lazaretto* Duties, or Expenses, which are to be Paid for the Purging of Goods

that make *Quarantena* ; All which three Books of Rates, and Duties, are to be regulated according to the Limitations and Restrictions in the foregoing Articles : 'Tis covenanted, that the said Tariffes, or Rates, and Duties, shall never be changed or alter'd without consent of the Consul and the Major part of the *English* Merchants, and Factors residing in the said Ports. 'Tis also further Covenanted that the Merchants and Factors, Subjects of His Majesty, shall be dispatched with all Expedition in the several Places where Customes or Duties are to be paid, and that none of the said Subjects shall be at any time liable to Revision of Accounts under pretence of Defraudation. And if any Officer of His Royal Highness, by Way of Reward, Voluntary Donative, or any other way whatsoever, shall Exact or receive any sum or value, beyond what is appointed in the mention'd Tariffes or Rates, limited

ed as in the aforesaid Articles: The Person so offending shall be imprison'd the space of Three Moneths, or more, if His Royal Highness think fit, and shall pay three times the full value of what he so demanded or receiv'd; one half of which shall be apply'd to His Royal Highness, and the other half to the Accuser or Informer.

XV.

Fifteenthly and Lastly, 'Tis Covenanted and agreed, That all Immunities, Priviledges, and Concessions, which in the General Publication of a Free Port made by His Royal Highness are not mention'd or specified in the foregoing Articles, shall be for the full Advantage of His Majesties Subjects to all intents and purposes, be understood to be expressly mention'd and contain'd in the Body of this Present Instrument: And whatsoever for the future of Immunity, Priviledge or Advantage, shall be granted to any other Kingdom or State,

State, all and every of the said Immunities, Privileges, and Advantages, are and shall be as fully with all their Circumstances granted to His Majesties Subjects, as if they were expressly Covenanted and agreed for in this present Instrument. For the full and undoubted Confirmation of which, and of all the foregoing Articles, the above named Procurators of His Majesty of Great Britain, &c. and His Royal Highness, having diligently read and weighed all the abovesaid Fifteen Articles, have hereunto put their Hands and Seals, at Florence the Nineteenth day of September, the Year of our Lord One thousand six hundred sixty nine.

L. S.

John Finch.

L. S.

Joseph Maurice Filippozzi

FINIS.



L O N D O N ,
Printed by the Assigns of *John Bill*,
and *Christopher Barker*, Printers to
the KINGS most Excellent
Majesty, 1673.

